

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
EDUCATION AND CULTURAL AFFAIRS**

JULY 1999

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CARRIED OVER..... *Bill carried over to Second Regular Session*
CON RES XXX..... *Chapter # of Constitutional Resolution passed by both Houses*
CONF CMTE UNABLE TO AGREE..... *Committee of Conference unable to agree; bill died*
DIED BETWEEN BODIES..... *House & Senate disagree; bill died*
DIED IN CONCURRENCE..... *One body accepts ONTP report; the other indefinitely postpones the bill*
DIED ON ADJOURNMENT..... *Action incomplete when session ended; bill died*
EMERGENCY..... *Enacted law takes effect sooner than 90 days*
ENACTMENT FAILED..... *Bill failed to get vote required for enactment or final passage*
NOT PROPERLY BEFORE THE BODY..... *Ruled out of order by the presiding officers; bill died*
INDEF PP..... *Bill Indefinitely Postponed*
ONTP..... *Ought Not To Pass report accepted*
OTP ND..... *Committee report Ought To Pass In New Draft*
OTP ND/NT..... *Committee report Ought To Pass In New Draft/New Title*
P&S XXX..... *Chapter # of enacted Private & Special Law*
PUBLIC XXX..... *Chapter # of enacted Public Law*
RESOLVE XXX..... *Chapter # of finally passed Resolve*
UNSIGNED..... *Bill held by Governor*
VETO SUSTAINED..... *Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

6. Authorizes the Commissioner of Education to establish up to 10 pilot sites for public schools to provide services to eligible three to six-year-olds year-round.

Chapter 296 was enacted as an emergency measure effective May 24, 1999.

LD 1329 **An Act to Apply the Approval Procedures in Municipal Charters to Locally Funded School Construction Projects** **ONTP**

<u>Sponsor(s)</u> DOUGLASS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1329 proposed that in municipalities governed by municipal charters, locally funded school construction projects must be approved in accordance with the procedures required by the applicable municipal charter rather than the referendum procedures set forth in the Maine Revised Statutes, Title 20-A, section 15904. See also LD 798.

LD 1336 **An Act to Facilitate the Transfer of Credits Between Colleges of the Maine Technical College System** **ONTP**

<u>Sponsor(s)</u> NORBERT LONGLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1336 proposed to add to the powers and duties of the President of the Maine Technical College System. Under this bill, the duty of establishing a uniform system to facilitate the transfer of credits between colleges within the system would have been added to the President's existing duty of promoting intercampus cooperation and coordination.

LD 1340 **An Act to Require Schools to Begin After Labor Day** **ONTP**

<u>Sponsor(s)</u> CAMPBELL		<u>Committee Report</u> ONTP MAJ OTP-AM MIN		<u>Amendments Adopted</u>
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LD 1340 proposed that all public schools including postsecondary educational institutions begin classes after Labor Day. The bill also provided that extracurricular activities could take place before Labor Day.

Committee "A" (H-376), the minority report of the committee, proposed to exempt school administrative units located in Aroostook County from the provision proposed in the bill that the school year begin after labor Day.

LD 1346 **An Act to Amend the Laws Regarding the School Administrative District CARRIED OVER Budget Approval Process**

<u>Sponsor(s)</u> BROOKS		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1346 proposes that when the voters in a School Administrative District (SAD) that has adopted the alternative budget referendum process initially fail to adopt their budget by referendum, the board of directors of the SAD are required to resubmit their budget proposal using the referendum process. Under current law the directors can decide to bring the budget to a second or subsequent vote at an open meeting rather than by referendum. This bill also proposes that a budget proposal submitted a third time may not be greater than the previous school year's budget plus an increase adjusted for the Consumer Price Index. For a budget submitted more than three times, the bill proposes that the budget proposal submitted to referendum must be lower than the proposal made at the previous referendum. The State Board of Education has been requested by committee letter to review and report to the committee next session on this bill and other related school governance and budget issues.

LD 1348 **An Act to Ensure Support Services for Teachers Serving Under a Certification Waiver** **PUBLIC 238**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART BAKER	OTP-AM	S-165

LD 1348 proposed to establish a process for the approval of any waiver of rules administered by the Department of Education.

Committee Amendment "A" (S-165) proposed to replace the bill and to expand the responsibilities of school support systems to include services for developing good teaching and classroom management skills for teachers serving under a certification waiver. This amendment also proposed to add a fiscal note and a mandate preamble to the bill.

Enacted law summary

Public Law 1999, chapter 238 expands the responsibilities of school support systems to include services for developing good teaching and classroom management skills for teachers serving under a certification waiver.

LD 1354 **An Act to Amend the Law Regarding Conflict of Interest** **PUBLIC 128**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELANGER	OTP-AM	H-186

LD 1354 proposed to clarify the situations in which a school board member or a member’s spouse may be an employee or volunteer at a school within the jurisdiction of the school board to which the member is elected. Board members and spouses would be able to serve as unpaid volunteers if not under the direct supervision of an administrator who is directly accountable to the school board. Employment as a substitute teacher in a stipend position or in a salaried or hourly capacity would still be prohibited.

This bill was submitted on behalf of the Department of Education.

Committee Amendment "A" (H-186) proposed to clarify that the situations in which a school board member or a member's spouse may not serve as a volunteer in a public school within the jurisdiction of that school board are limited to situations in which the volunteer has primary responsibility for a curricular, cocurricular or extracurricular program or activity and also reports directly to a school administrator.

Enacted law summary